GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

STARRED QUESTION NO:236
ANSWERED ON:15.12.2015
Sale of Acid
Kishore Shri Kaushal;Kumar Dr. Virendra

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether there are reports of unregulated sale of acid in various parts of the country including sale of acid in the guise of "toilet cleaners" despite the Supreme Court"s direction to the contrary;

(b) if so, the details thereof, State-wise including the NCT of Delhi;

(c) whether steps have been taken to curb the unregulated sale of acid and if so, the details thereof; and

(d) the other measures taken to regulate sale of acid in the open market along with the guidelines issued to the States and Police Departments in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HARIBHAI PARATHIBHAI CHAUDHARY)

(a) to (d): A Statement is laid on the Table of the House.

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STATEMENT REFERRED TO IN LOK SABHA STARRED QUESTION NO.*236 FOR 15.12.2015

(a) & (b): Sale of various kinds of acid is regulated under the Poisons Act, 1919. The National Crime Records Bureau (NCRB) does not separately maintain data on cases registered for sale of acid in violation of the Poisons Act, 1919.

(c) & (d): In accordance with the direction of the Hon'ble Supreme Court, in WP (Crl) 129 of 2006, the Ministry of Home Affairs has issued an advisory to all the States/UTs titled 'Measures to be taken to prevent acid attacks on people and for treatment and rehabilitation of survivors' dated 30th August, 2013. This Advisory is available in Ministry of Home Affairs website

http://www.mha.nic.in/sites/upload_files/mha/files/AdvisoryAfterSupremeCourtOrderInLaxmCase_Short.pdf

The Ministry of Home Affairs has prepared Draft Model Poison Rules 2013 with the objective of regulating sale of acid. The Model Rules include, inter alia, the form of acids (liquids or crystalline and its concentration) that can be stored and sold, issue of licenses, procurement by individuals, educational and research institutions, hospitals, industries, Government Departments and departments of Public Sector Undertakings.

Through the aforesaid advisory the States/UTs were advised to notify rules under section 2 of the Poisons Act, 1919.

As per the Seventh Schedule to the Constitution of India 'Police' and 'Public order' are State subjects and, as such, the primary responsibility of prevention, detection, registration, investigation and prosecution of crime lies with the State Governments/Union Territory Administrations. Hence, the enforcement of the legislation with regard to availability of acids is completely within the domain of States/UTs.

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